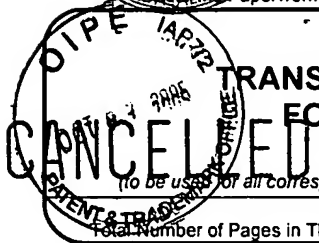
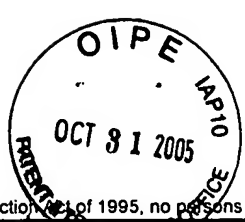


JFW



PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/708,953
Filing Date	April 2, 2004
First Named Inventor	Itzhak Bentwich
Art Unit	1631
Examiner Name	Not yet assigned
Attorney Docket Number	06087.0201.CPUS04

Total Number of Pages in This Submission 27

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input checked="" type="checkbox"/> CD, Number of CD(s) <u>15</u> <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): replacement sequence listing, tables 1-11, and application too large for EFS submitted on 6 CDs (2 copies); CRF of sequence listing on CD (1 copy), Preliminary Amendment, Transmittal Sheet for Submission of CDs Pursuant to 37 CFR 1.52(3) 3.73(b); Statement Regarding Sequence Submission, Request for Corrected Filing Receipt, and return-receipt postcard.
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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

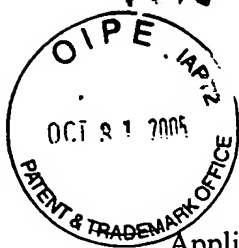
Firm Name	Howrey LLP		
Signature			
Printed name	Teddy C. Scott, Jr., Ph.D.		
Date	October 25, 2005	Reg. No.	53,573

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature			
Typed or printed name	Teddy C. Scott, Jr., Ph.D.	Date	October 25, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including



Attorney Docket No. 06087.0201.CPUS04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): I. Bentwich, et al.
App. No.: 10/708,953
Confirmation No.: 2952
Filing Date: April 2, 2004
Title: Bioinformatically Detectable Group of
Novel Regulatory Oligonucleotides
and Uses Thereof
Art Unit: 1631

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date:

10/25/05

Date


Teddy C. Scott, Jr., Ph.D.
Registration No. 50573

**RESPONSE TO NOTICE TO FILE
MISSING PARTS OF NONPROVISIONAL APPLICATION**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application mailed July 25, 2005, the following are enclosed:

- Replacement compact disc (2 copies) of an application that was too large to be submitted under the EFS ePave process;
- Replacement sequence listing and tables on 6 compact discs (two copies) pursuant to §1.52(e);
- Replacement sequence listing in computer readable form pursuant to 37 C.F.R. §1.821(e);
- Statement Pursuant to 37 C.F.R. §1.825(a) and (b) (1 pg.);
- Copy of Notice to File Missing Parts of Nonprovisional Application under 37 C.F.R. §1.53(c) (2 pgs.);
- Transmittal Sheet for Submission of Compact Disc Pursuant to 37 C.F.R. §1.52(e) (2 pgs.);
- Preliminary Amendment (4 pgs.);
- One Month Extension of Time (2 pgs.);

- Request for Corrected Filing Receipt (7 pgs.);
- Fee Transmittal (1 pg.);
- Transmittal Letter (1 pg.); and
- Return receipt postcard.

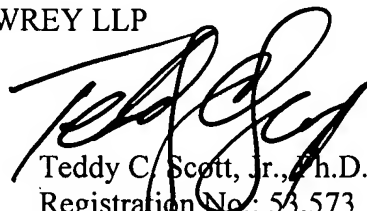
No other fees are believed to be due in connection with the filing of this document, however, should any additional fees be required, the Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 08-3038. This sheet is filed in duplicate.

Respectfully submitted,

HOWREY LLP

Dated: October 25, 2005

By:


Teddy C. Scott, Jr., Ph.D.
Registration No.: 53,573
Customer No.: 22930

HOWREY LLP
321 N. Clark Street, Suite 3400
Chicago, IL 60661
(312) 595-1239 (main)
(312) 846-5621 (direct)
(312) 595-2250 (fax)

<p>Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 1818).</p> <h1 style="text-align: center; margin: 0;">FREE TRANSMITTAL</h1> <h2 style="text-align: center; margin: 0;">for FY 2005</h2> <p style="text-align: center;">OCT 31 2005</p>		<p>Complete If Known</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>10/708,953</td> </tr> <tr> <td>Filing Date</td> <td>April 2, 2004</td> </tr> <tr> <td>First Named Inventor</td> <td>I. Bentwich</td> </tr> <tr> <td>Examiner Name</td> <td>Not yet assigned</td> </tr> <tr> <td>Art Unit</td> <td>1631</td> </tr> <tr> <td>Attorney Docket No.</td> <td>06087.0201.CPUS04</td> </tr> </table>		Application Number	10/708,953	Filing Date	April 2, 2004	First Named Inventor	I. Bentwich	Examiner Name	Not yet assigned	Art Unit	1631	Attorney Docket No.	06087.0201.CPUS04
Application Number	10/708,953														
Filing Date	April 2, 2004														
First Named Inventor	I. Bentwich														
Examiner Name	Not yet assigned														
Art Unit	1631														
Attorney Docket No.	06087.0201.CPUS04														
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27															
TOTAL AMOUNT OF PAYMENT (\$60.00)															

METHOD OF PAYMENT (check all that apply)

☐ Check
 ☐ Credit Card
 ☐ Money Order
 ☐ None
 ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 08-3038 Deposit Account Name: Howrey Simon Arnold & White, LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below
 ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17
 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
Total Claims	Extra Claims	Fee (\$)
- 20 or HP = <u>0</u>	x	=
HP = highest number of total claims paid for, if greater than 20		
Indep. Claims	Extra Claims	Fee (\$)
- 3 or HP = <u>2</u>	x	=
HP = highest number of independent claims paid for, if greater than 3		

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/50 =	(round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)
 Other (e.g., late filing surcharge): Petition for a one month extension of time (small entity rate) **\$60.00**

SUBMITTED BY

Signature	Registration No. 53,573 (Attorney/Agent)	Telephone (312) 846-5621
Name (Print/Type) <u>Teddy C. Scott, Jr., Ph.D.</u>	Date <u>October 25, 2005</u>	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

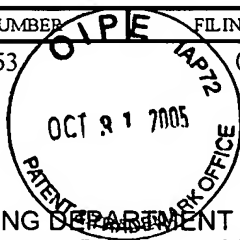


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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 www.uspto.gov

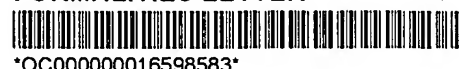
APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/708,953	04/02/2004	Itzhak Bentwich	06087.0201.CPUS04

22930
 HOWREY LLP
 C/O IP DOCKETING DEPARTMENT
 2941 FAIRVIEW PARK DR, SUITE 200
 FALLS CHURCH, VA 22042-2924



CONFIRMATION NO. 2952

FORMALITIES LETTER



OC000000016598583

Date Mailed: 07/25/2005

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The compact disc(s) submitted fail to comply with 37 CFR 1.52(e) in that only a single copy of each disc was provided. A duplicate copy of each compact disc must be provided on Compact Disc-Read Only Memory (CD-ROM) or a Compact Disc-Recordable (CD-R) media. Any replacement compact discs submitted should be accompanied by a certification as required by 37 CFR 1.52(e) that each disc of a duplicate set is identical to the other disc of the set.
- This application is objected to because it contains a data file on CD-ROM/CD-R, however, the transmittal letter does not list for each compact disc, the machine format, the operating system compatibility, a list of files contained on the compact disc including their names, sizes in bytes, and dates of creation, plus any other special information that is necessary to identify, maintain, and interpret the information on the compact disc as required by 37 CFR 1.52(e)(3). A statement listing the required information is required. Additionally, the disc(s) is not identified in the paper portion of the specification with a listing of all of the files contained on the disc. When portions of an application are contained on a compact disc, the paper portion of the specification must identify the compact disc(s) and list the files including name, file size, and creation date on each of the compact discs. See 37 CFR 1.52(e). Applicant(s) are required to amend the specification to identify each disc and the files contained on the disc including the file name, file size, and file creation date.
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

To Download Patentin Software, visit <http://www.uspto.gov/web/patents/software.htm>
For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

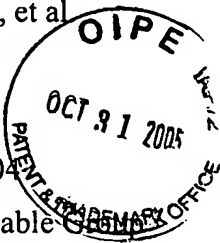
G. Negash

Office of Initial Patent Examination (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): I. Bentwich, et al
 App. No.: 10/708,953
 Confirmation No.: 2952
 Filing Date: April 2, 2004
 Title: Bioinformatically Detectable
 of Novel Regulatory Oligonucleotides
 and Uses Thereof
 Art Unit: 1631



CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date

10/25/05
 Date

Teddy C. Scott, Jr., Ph.D.
 Registration No. 53,573

TRANSMITTAL SHEET FOR SUBMISSION OF COMPACT DISC PURSUANT TO 37 C.F.R. §1.52(e)

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

Enclosed herewith are seven compact discs (2 copies of each) containing replacement copies of the sequence listing, tables of the application totaling more than 100 pages in length, and an application that was too large to be submitted under the EFS ePave process. The contents of the compact discs are as follows:

File Name	Size	Date of File
Disc 1		
Seq.txt	342,240 KB	09/28/2005
Disc 2		
Table_1.txt	35,429 KB	03/31/2004
Table_10.txt	4,316 KB	03/31/2004
Table_11.txt	37 KB	03/31/2004
Table_2.txt	165,250 KB	03/31/2004
Table_3.txt	2,838 KB	03/31/2004
Table_4.txt	8,106 KB	03/31/2004
Table_5.txt	3,049 KB	03/31/2004
Table_6.txt	169,489 KB	03/31/2004
Table_7.txt	268,107 KB	03/31/2004

Disk 3		
Table_8_1.txt	378,907 KB	10/25/2005
Disk 4		
Table_8_2.txt	374,279 KB	10/25/2005
Disk 5		
Table_9_1.txt	419,922 KB	10/25/2005
Disk 6		
Table_9_2.txt	415,145 KB	10/25/2005
Disk 7		
EFS Submission originally submitted on April 2, 2004		

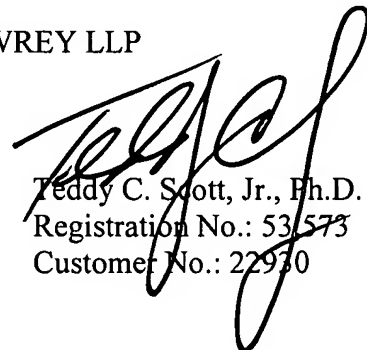
Pursuant to 37 C.F.R. §1.52(e)(4)(c), I hereby state that the two copies of the compact disc are identical.

Respectfully submitted,

HOWREY LLP

Dated: October 25, 2005

By:


Teddy C. Scott, Jr., Ph.D.
Registration No.: 53,573
Customer No.: 22930

HOWREY LLP
321 N. Clark Street, Suite 3400
Chicago, IL 60661
(312) 595-1239 (main)
(312) 846-5621 (direct)
(312) 595-2250 (fax)